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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

GRAMERCY INSURANCE
COMPANY,

Plaintiff,

v.

WESTERN SKY TRANSPORTATION
INC. and WESTERN SKY, INC.,

Defendants.

2:10-CV-2018 JCM (PAL)

ORDER

Presently before the court is Gramercy Insurance Company's motion for leave to file amended complaint. (Doc. #15). Defendants have not filed an opposition.

Plaintiff filed its complaint on November 17, 2010 (doc. #1), seeking a judgment from the court declaring "that the policy issued to [defendant] Western Sky is rescinded and void *ab initio*," or alternatively, declaring "that the policy does not provide coverage for any claims against or losses incurred by [defendants] Western Sky or WSI." Additionally, plaintiff asks for damages against Western Sky for misrepresentation and fraud, and makes a "contingent subrogation claim in the event [it] must pay any claim or final judgment." (Doc. #1).

In the present motion for leave to amend (doc. #15), plaintiff contends that its amended complaint (doc. #15 attached to the motion) "does not change the nature of the lawsuit," does not change the parties involved, and "contains no additional claims as those originally asserted." Rather, the amended complaint (doc. #15) strikes the portion of the original complaint (doc. #1) seeking

1 damages and asserting its contingent subrogation claim. Further, plaintiff argues that allowing it to
2 amend does not prejudice the present parties.

3 Good cause appearing,

4 IT IS HEREBY ORDERED ADJUDGED AND DECREED that plaintiff Gramercy
5 Insurance Company's motion for leave to file amended complaint (doc. #15) be, and the same hereby
6 is, GRANTED.

7 IT IS THEREFORE ORDERED that plaintiff file and serve the amended complaint (doc. #15
8 attached to the motion) with the court.

9 DATED May 24, 2011.

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12 UNITED STATES DISTRICT JUDGE